



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

Notice to Prospective Proposers

May 13, 2013

You are invited to review and respond to this Request for Proposal (RFP) Secondary, entitled "Tire Outreach and Market Analysis" DRR13003. In submitting your proposal, you must comply with the instructions herein.

Note that all Contracts entered into with the State of California will incorporate by reference General Terms and Conditions, Special Terms and Conditions and Contractor Certification Clauses which are referenced in Section II of this package. If you do not have internet access, a hard copy can be provided by contacting the person listed below.

In the opinion of the Department of Resources Recycling and Recovery (CalRecycle) this RFP is complete and without need of explanation. However, if you have questions, or should you need any clarifying information, the contact person for this RFP is:

Shelly Lewis
contracts@calrecycle.ca.gov
Phone: 916.341.6649
Fax: 916.319.7345

Please note that no *verbal* information given will be binding upon the State unless such information is issued in writing as an official addendum.

Shelly Lewis
Contract Administrator

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Section 1 Overview

General Information

CalRecycle promotes a zero waste California in partnership with local government, industry, and the public. This means managing the estimated 76 million tons of waste generated each year by reducing waste whenever possible, promoting the management of all materials to their highest and best use, and protecting public health and safety and the environment.

CalRecycle Contact Information

Department of Resources Recycling and Recovery

Physical Address: 1001 I Street,
Sacramento, CA 95814
CalRecycle Contracts Unit, MS-19A
Mailing Address: PO Box 4025,
Sacramento, CA 95812-4025
Attn: Contracts Unit, MS-19A

Phone: (916) 341-6649

FAX: (916) 319-7345

EMAIL: contracts@calrecycle.ca.gov

Any documents delivered in person must be received in the Visitor's & Environmental Service Center located in the lobby of the CalEPA Headquarters Building at 1001 I Street, Sacramento, CA 95814.

Service Needed

The Tire Outreach and Market Analysis (TOMA) contract is designed primarily to:

1) provide an annual in-depth analysis of the waste tire market in California as has previously been provided through the Tire-Derived Product Business Assistance Program (TBAP) contract; and 2) conduct technical outreach and education targeted at stakeholders that are in a position to procure tire-derived products (TDPs) and/or have the authority to specify them in future projects. The goal of this effort is to increase demand for TDPs, foster the application of new technologies, and expand the use of waste tire derived material into a variety of applications, including higher value-added products.

Utilizing the market analysis and working in collaboration with the stakeholders targeted for outreach and education and other applicable entities, the Contractor will identify gaps in TDP data and specifications that pose a barrier to TDP market expansion. The Contractor will then conduct research and testing to address those gaps and present the results to stakeholders.

The Contractor will assist CalRecycle in developing, coordinating, and presenting material at two CalRecycle Tire Conferences.

Contract Budget

This contract is valid and enforceable only if sufficient funds are made available by the Budget Act of the appropriate fiscal year for the purposes of this program. In addition, this contract is subject to any additional restriction, limitations or conditions enacted by the Legislature, which may affect the provisions, terms, or funding of this contract in any manner.

Subject to availability of funds and approval by CalRecycle, there is a current maximum budget of \$1,500,000. CalRecycle reserves the right to amend the budget for this Contract as needs arise.

Payment Withhold

The provisions for payment under this contract will be subject to a ten percent (10%) withholding per task. The withheld payment amount will be included in the final payment to the contractor and will only be released when all required work has been completed to the satisfaction of CalRecycle.

Liquidated Damages

The selected Contractor, to receive award of this Contract, will be subject to liquidated damages if required deliverables (i.e., reports) are not submitted by the due date(s) outlined in the Scope of Work. See Section II, Commitment, *Special Terms and Conditions* for additional information..

Contract Term

The term of this Contract will span approximately 36 months and is expected to begin in September 2013. CalRecycle reserves the right to amend the term of this Contract as needs arise.

Process Type

Request for Proposal (RFP) (Secondary Method).

Process Schedule

This process will be conducted according to the following tentative schedule where all times are Pacific Time

Advertisement Date	May 14, 2013
Written Questions Due by 2:00 pm	May 29, 2013
Submittals Due by 2:00 pm	June 25, 2013
Post Notice of Intent to Award	July 12, 2013

Section II Rules and Conditions

Introduction

There are conditions that this RFP, submitting Proposers, proposals and resulting Contracts are subject to and/or required to comply with.

Commitment

Upon submittal of a Proposal, the Contractor has committed to comply with the following requirements:

- All items noted in RFP documents
- Special Terms and Conditions available for viewing at www.calrecycle.ca.gov/Contracts/Forms/SpeTermsCond.pdf
- General Terms and Conditions (GTCs) available for viewing at www.ols.dgs.ca.gov/Standard+Language.
- Contractor Certification Clauses (CCCs) available for viewing at www.ols.dgs.ca.gov/Standard+Language.

The above terms, conditions, and/or requirements are not subject to negotiation. Any Proposal that reserves a right to negotiate or expresses any exception to the above terms, conditions, and/or requirements will be disqualified. However, requests to revise any of the above terms, conditions, and/or requirements may be submitted during the formal question and answer period. Any such requests must include the current language, the proposed revised language, and the justification for the proposed revision. Any revisions are at the sole discretion of CalRecycle and will only be made under very limited circumstances in which the revisions apply to all Proposers and benefit or enhance the Contract.

If the Proposer fails to meet any of the requirements or comply with CalRecycle requests, CalRecycle can reject, disqualify, or remove the firm from the process. CalRecycle is not committed to awarding a Contract resulting from this RFP.

Antitrust Claims

In submitting a Proposal Package to a public purchasing body, the Proposer offers and agrees that if the Proposal Package is accepted, it will assign to the purchasing body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the Proposer for sale to the purchasing body pursuant to the Proposal Package. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the Proposer. (See Government Code Section 4552.)

If an awarding body or public purchasing body receives, either through judgment or settlement, a monetary recovery for a cause of action assigned under this chapter, the assignor shall be entitled to receive reimbursement for actual legal costs incurred and may, upon demand, recover from the public body any portion of the recovery, including treble damages, attributable to overcharges that were paid by the assignor but were not paid by the public body as part of the Proposal Package price, less the expenses incurred in obtaining that portion of the recovery. (See Government Code Section 4553.)

Upon demand in writing by the assignor, the assignee shall, within one year from such demand, reassign the cause of action assigned under this part if the assignor has been or may have been injured by the violation of law for which the cause of action arose and (a) the assignee has not been injured thereby, or (b) the assignee declines to file a court action for the cause of action. (See Government Code Section 4554.)

Contractor's Cost

All costs resulting from the contractor's participation in the RFP process are at the firm's expense. No costs incurred by the contractor participating in the RFP process will be reimbursed by CalRecycle.

Information

All information obtained or produced during the course of the Contract will be made available to CalRecycle.

Any information that qualifies as confidential or a trade secret(s) under the Public Records Act (PRA) or the Public Contract Code (PCC) and is thus exempt from disclosure under those statutes must so be marked by the proposer prior to submission to CalRecycle. Any claims of confidentiality or trade secret(s) except as to information that qualifies as such under the PRA or PCC may result in disqualification.

CalRecycle will hold information deemed confidential or trade secret(s) by the proposer to the extent allowable by the California Public Records Act and the Public Contract Code.

Final bids and proposals are public upon the posting of the Notice of Intent to Award; however, the contents of all bids and proposals shall be held in the strictest confidence until Notice of Intent to Award. Proposers should be aware that marking a document "confidential" or "proprietary" in a final bid or proposal may exclude it from consideration for award and will not keep that document from being released after Notice of Intent to Award as part of the public record, unless a court has ordered the state not to release the document.

Written Questions

The RFP includes a formal question and answer period in which proposers have the opportunity to submit questions regarding the RFP. All questions must be submitted in writing either by mail, fax, or e-mail to CalRecycle Contact as listed in Section I, Process Schedule. The questions and answers will be published in an Addendum to the RFP (see below, Addenda).

Addenda

CalRecycle reserves the right to amend, alter, or change the rules and conditions of this RFP.

Any ambiguity, conflict, discrepancy, omission, or other error discovered in the RFP should immediately be reported to CalRecycle prior to the deadline for submission of written questions. CalRecycle will issue addenda to address such issues.

Modification of Submittals

A Proposal submitted prior to the submittal deadline, can be withdrawn or modified by the submitting proposer. The proposer must:

- Provide a written request
- Identify the requesting individual and their association to the proposer

A Proposal cannot be withdrawn for modification after the submittal deadline has passed.

Errors in Submittals

An error in a Proposal package may be cause for rejection of that proposal.

CalRecycle may make certain corrections, if the Proposer's intent is clearly established based on review of the complete proposal.

Unreliable List

Any contractor or subcontractor currently on CalRecycle Unreliable list, is ineligible to apply for or participate in this contract.

Negotiating State Contracts

This solicitation and any resulting contract or amendments are subject to the conditions set forth in PCC 6611.

If any of the conditions identified in PCC 6611 exist, the Department of General Services may perform contract negotiations, if it is determined to be in the best interest of the State.

Electronic Waste Recycling

If the Contractor or any subcontractors participate in activities that result in the disposition of electronic components, they will comply with the provisions of PRC Chapter 8.5.

Use Tax

If, during the course of the Contract, the Contractor will be involved in the re-sale of goods to the State, they must comply with the requirements of Section 6452.1, 6487, 6487.3, 7101, and 18510 of the Revenue and Taxation Code, in addition to Section 10295.1 of the Public Contract Code.

Small Business (SB) Preference

Small Business and non-small business may receive preference as set forth below.

For purposes of this RFP, references to "Small Business" include "Microbusiness" unless contrary to law.

Any Proposer competing in this process as a California Certified Small Business, or as a non-SB certifying to subcontract a minimum of 25% of the total contract services to a California Certified SB, will receive a five percent (5%) preference. Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

CalRecycle will apply the preference per State law and as described on the DGS website at <http://www.pd.dgs.ca.gov/smbus/sbpref.htm>.

For award based on high score, the incentive is applied by calculating the "earned" score for all proposers: If the highest scored proposal is from a non-certified small business then:

1. Calculate five percent (5%) of the highest responsible proposer's total score.
2. Add the amount calculated above to the score of each of the proposer's eligible for the SB preference. This new amount is the total score.

Application of the preference shall not displace an award to a small business with a non-small business.

A copy of the Proposer's and or/ small business subcontractors' small business certification should be included with the Proposal.

If the Proposer makes a commitment to achieve small business participation, then the Proposer, if awarded this contract, must within 60 days of receiving final payment under this agreement (or within such other time period as may be specified elsewhere in this Contract) report to the awarding department the actual percentage of small business participation that was achieved (Govt. Code § 14841). Refer to Attachment E to fulfill this requirement

Disabled Veterans Business Enterprise (DVBE) Incentive

Any Proposer competing in this process as a California Certified Disabled Veterans Business Enterprise, or as a non-DVBE certifying to subcontract a minimum of 3% of the total contract services to a California Certified DVBE, will receive an incentive as shown below:

1. Five (5%) and above participation level = bid will receive five percent (5%) incentive calculation.
2. Four (4%) participation level = bid will receive two percent (2%) incentive calculation.
3. Three (3%) participation level = bid will receive one percent (1%) incentive calculation.

Certification must be provided by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

CalRecycle will apply the incentive as follows:

The incentive is applied during the evaluation process and is only applied for responsive bids from responsible bidders proposing the percentage(s) of DVBE participation for the incentive(s) specified above.

For award based on high score, the incentive is applied by calculating the "earned" score for all bidders: If the highest scored proposal is from a non-certified small business then:

1. Calculate five percent (5%) of the highest responsible proposer's total score.
2. Add the amount calculated above to the score of each of the proposer's eligible for the DVBE incentive according to the participation levels. This new amount is the total score.

Application of the incentive shall not displace an award to a small business with a non-small business.

A copy of the Proposer's DVBE certification should be included with the Bid Package.

If awarded, the Proposer who has made a commitment to achieve disabled veteran business enterprise (DVBE) participation, must within 60 days of receiving final payment under this agreement (or within such other time period as may be specified elsewhere in this agreement) certify in a report to the awarding department: (1) the total amount the prime contractor received under the contract; (2) the name and address of the DVBE(s) that participated in the performance of the contract; (3) the amount each DVBE received from the prime contractor; (4) that all payments under the contract have been made to the DVBE(s); and (5) the actual percentage of DVBE participation that was achieved. A person or entity that knowingly provides false information shall be subject to a civil penalty for each violation (Military & Veterans Code (M&VC) § 999.5(d)). Refer to Attachment E to fulfill this requirement.

Subcontractors

All subcontractors identified in the proposal, must be experts in their respective disciplines and capable of performing the tasks for which they are hired.

If awarded the Contract, the contractor **must** use all of the SB and DVBE firms identified on the Small Business/DVBE Participation Summary.

Contractor understands and agrees that should award of this contract be based in part on their commitment to use the Disabled Veteran Business Enterprise (DVBE) subcontractor(s) identified in their proposal, per Military and Veterans Code 999.5 (e), a DVBE subcontractor may only be replaced by another DVBE subcontractor and must be approved by the Department of General Services (DGS). Changes to the scope of work that impact the DVBE subcontractor(s) identified in the proposal and approved DVBE substitutions will be documented by contract amendment.

Failure of Contractor to seek substitution and adhere to the DVBE participation level identified in the proposal may be cause for contract termination, recovery of damages under rights and remedies due to the State, and penalties as outlined in M&VC § 999.9; Public Contract Code (PCC) § 10115.10, or PCC § 4110 (applies to public works only).

CalRecycle reserves the right to approve substitutions of subcontractors, as long as, certified business participation levels remain unchanged.

Payments to the Contractor

Payments to the Contractor by CalRecycle will be made in arrears. Services rendered by the Contractors must be identified on an invoice, to be billed monthly in arrears.

Equipment and Software Purchases

Any equipment or software purchased to perform the responsibilities under the contract are considered state property and shall be returned to CalRecycle at the end of the contract or upon request of the Contract Manager.

Section III Proposal Submittal Requirements

Introduction

Failure to follow the instructions contained in this document may be grounds for rejection of a Proposal.

CalRecycle may reject any Proposal if it is conditional, incomplete or contains irregularities.

CalRecycle may waive an immaterial deviation in a Proposal, if deemed in the best interest of CalRecycle.

Deadline

The proposal package must be received by CalRecycle, at the address listed in Section I, Overview by 2:00 p.m. on June 25, 2013.

Proposals received after the deadline, will be considered late and returned to the Proposer unopened.

Addressing

The proposal package must clearly state that it is in response to this RFP and note the RFP number listed with the direction of "Mailroom – do not open."

Number of Copies

The Proposer is required to submit all required documents in the following format:

- One original, non-bound hard copy marked "Original"
- Three bound, hard copies marked "Copy"
- One electronic copy on disc or compact disc viewable by Adobe Acrobat Reader. Entire proposal, including any attachments, must be saved as a single document.

It is the submitting Proposer's responsibility to ensure that the electronic copy is formatted in Adobe Acrobat Reader and viewable by CalRecycle.

Document Printing

All documents must be submitted double-sided on paper with a minimum of 100% post-consumer recycled content fiber.

Cover Letter

The cover letter shall be signed by an individual who is authorized to bind the Proposer and shall indicate that person's title or position. The cover letter must be on the Proposer's company letterhead and contain the following information:

- a. Name and address of the Proposer submitting qualifications;
- b. Proposer's Headquarters for purposes of this Contract, if awarded;
- c. Name, telephone number, and e-mail address of a person who can be contacted if further information is required;
- d. Name, title, address, telephone number, and e-mail address of individual(s) with authority to negotiate and execute a binding Contract on behalf of the Proposer;
- e. Statement that personnel who will provide services under the Contract will have the required certifications and that the Proposer will have qualified personnel available to meet the service needs; and
- f. Statement attesting to the fact of the percentage of post consumer recycled content fiber paper used in the compilation of the proposal package.
- g. Statement stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286; and
- h. List of Contractor's and any subcontractor(s') business names, identification of certified SB status, if applicable, and corresponding OSDS Reference number(s) issued to the certified SB by the DGS.

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The information must be organized as presented with corresponding page references.

Summary

The Proposer must include a brief overview of the project and summarize the Proposer's approach to the work.

Methodology

The proposal should include a Work Plan that is organized by task and describes the methods to be employed to accomplish the project and the associated proposed timelines. The methodology should be described in sufficient detail to allow CalRecycle staff to evaluate the methods and should address all tasks and items in the Scope of Work. The description should include not only what work will be performed, but how it will be performed.

The tasks described in the Scope of Work outline a general approach for meeting the requirements; however, alternative approaches for some or all of the tasks may be proposed if they meet or exceed the requirements in meeting the project objectives.

Organization

Provide a brief description of the organization's services and activities, including:

- Date of establishment
- History
- Location of any offices for all personnel proposed to perform work under this contract
- Any known conflicts of interest

Qualifications and Resources

The prospective contractor and any subcontractors must have the experience, qualifications, and resources to perform the required tasks of the project.

The high level of expertise required from various disciplines necessitates that the Contractor assemble a team of highly experienced and respected consultants to effectively provide the necessary assistance. Members of the Contractor's team must be highly knowledgeable regarding the waste tire and tire derived product industries and California and national markets for tire-derived products.

Each proposal must include a description of the resources to be used on the project while demonstrating an individual or team members' abilities to perform the work. The proposals must include resumes for the Project Manager, Personnel and Subcontractors, that include:

- Experience
- Knowledge
- Educational Background
- Appropriate licensing

References

The Proposer's team must provide a minimum of three (3) verifiable references and/or experience that support the above qualifications.

CalRecycle reserves the right to seek references in addition to the client references provided by the Proposer, as it deems necessary.

If a reference or project experience is unable to be verified, it will be disregarded.

Samples of Written Work

The Proposer's team must include copies of verifiable written work that is similar in nature to the proposed project and deliverables. At least one example should demonstrate analytical writing and at least one should demonstrate education/outreach capabilities.

Contractor Eligibility

The Proposer must include a written declaration, stating that the Contractor and any Subcontractors to be used during the performance of the contract are eligible to contract with the State of California, pursuant to PCC 10286.1. Statement may be included in the cover letter.

Qualification/Licenses

The Contractor shall be an individual or firm qualified to do business in California. Required documentation includes the following as applicable:

- A copy of the Proposer's registration with the Secretary of State.

- Additionally, pursuant to the California Business and Professions Code, for services of a “professional” nature requiring a professional license issued by the CA Department of Consumer Affairs, Proposers must submit a copy of the appropriate license(s) for each team member who will provide “professional” services under the contract.

Small Business (SB) Participation

CalRecycle expects a minimum of twenty-five percent (25%) of the project services to be contracted to a California OSDS Certified SB that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any sub-contractors, which includes:

- If the Proposer is a Certified OSDS SB, as defined in Section V Definitions and Terms, the Participation Summary, Attachment C, must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary, Attachment C, must be completed and submitted with the proposal.

Disabled Veteran Business Enterprise Participation (DVBE)

CalRecycle expects a minimum of three percent (3%) of the project services to be contracted to a California OSDS Certified DVBE that performs a commercially useful function.

This goal can be achieved by a combined effort of the prime and/or any subcontractors, which includes:

- If the Proposer is a Certified OSDS DVBE, as defined in Section V, Definitions and Terms, the Participation Summary, Attachment C, must be completed and submitted with the proposal.
- If the Proposer has identified subcontractors to be utilized to meet this goal, the Participation Summary, Attachment C, must be completed and submitted with the proposal.

Enterprise Zone Act (EZA)

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for EZA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the EZA.

If the Proposer is qualified for this preference, the EZA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at www.CalRecycle.ca.gov/contracts/forms.

Target Area Contract Preference Act (TACPA)

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for TACPA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the TACPA.

If the Proposer is qualified for this preference, the TACPA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at www.CalRecycle.ca.gov/contracts/forms.

Local Agency Military Base Recovery Act (LAMBRA)

If the budget for services outlined in this announcement, exceeds \$100,000, CalRecycle will grant a preference for LAMBRA qualified proposers.

The Proposer must provide reasonable demonstration of contract labor hours and certify that they will comply with the requirements of the LAMBRA.

If the Proposer is qualified for this preference, the LAMBRA Preference Request Form must be included in the proposal submittal.

The form may be downloaded at www.CalRecycle.ca.gov/contracts/forms.

Maximum Combined Preferences and Rules for Award

In combination with any other preferences (TACPA, EZA, LAMBRA, SB, DVBE, participation, etc), the maximum limit of the combined preferences is 15% of the bid amount and, in no case, more than \$100,000.00 per solicitation.

Preference programs for TACPA, EZA, LAMBRA, or the non-SB subcontracting preference cannot displace a direct award to a certified SB. In the event of a tie between a SB and a firm that is SB and DVBE, the award shall be made to the firm that is SB and DVBE.

Section IV Cost Proposal Submittal

Evaluation

The Contractor's cost proposal submittal will be evaluated based on whether the cost breakdown is sufficiently detailed to determine if the proposed expenses are reasonable.

Cost Breakdown

The cost breakdown must specify the total cost and include detailed project costs, as required in Attachment B, Cost Proposal Sheet. The awarded proposer's invoices must be itemized as shown in the submitted Cost Proposal Sheet.

Attachment A, Personnel Rate Sheet, and Attachment B, Cost Proposal Sheet, must be completed. Failure to complete and include both Attachments will be grounds for immediate disqualification. Transfer the information in Column F of the Personnel Rate Sheet to Column 3 of the Cost Proposal Sheet.

The subcontractor commitments must be identified, by each task and dollar amount, and included in the Cost Proposal Sheet.

If typical industry practice for certain services is to provide services on a fixed fee basis (e.g. material testing), it is acceptable to list fixed fees for select services in lieu of hourly rates. However they must be firm fees to which the contractor or any subcontractors will be contractually bound.

With the exception of travel expenses, the cost of food and beverage purchases is not reimbursable. All travel must be itemized in the Cost Proposal Sheet (Attachment B), under Column 6. For further travel information read the following section, Travel and Per Diem.

The costs identified in the Cost Proposal Sheet, should take into consideration the length of the contract, rise in salaries and overhead costs.

If the prime contractor marks up work performed by any subcontractor, it must be made clear in the Personnel Rate Sheet which work will be marked up and by how much.

If fringe benefits and/or overhead are not specifically itemized in Attachment A and if the proposer inserts a \$0, the proposer must explain on Attachment A why these line items are not itemized. A blank space for either fringe benefits or overhead will be grounds for immediate disqualification.

Failure to include on the Cost Proposal Sheet budgeted costs for all tasks included in the Scope of Work will be grounds for disqualification.

The Personnel Rate Sheet and Cost Proposal Sheet are self-contained documents for purposes of calculating cost points and evaluating whether all information required by the RFP has been submitted. Therefore, all information (such as explanations of \$0 instead of itemized costs) must be included. Reference by incorporation to the proposal is not acceptable.

The amount identified in Attachment A and B may not be changed and will remain in effect for the life of the Contract.

Travel and Per Diem

All travel must be pre-approved by the Contract Manager. Only the least costly travel method (for example, personal car, rental car, or air travel) will be reimbursed. When determining the least costly travel method, the Contractor should take into consideration not only direct expenses, but also the time billed. If the Contractor is unsure what least costly method may be, he or she shall consult with the Contract Manager. All travel will be reimbursed at the excluded employee travel rates in accordance with the California Code of Regulations Title 2, Division 1, Chapter 3, Subchapter 1, Article 2, Section 599.615.1 et seq.. At the time of the RFP release, the rates listed below apply. However, they are subject to change and the Contractor will be held to the State per diem rates in effect at the time of travel. Per diem (lodging, meals and incidentals) will not be reimbursed for travel within 50 miles of Contractor's headquarters.

- Lodging (receipts required) per day–
 - Most locations up to a maximum of \$84 plus tax
 - Counties of Los Angeles and San Diego up to a maximum of \$110 plus tax

- Counties of Alameda, San Francisco, San Mateo and Santa Clara up to a maximum of \$140 plus tax
- Meals (actual expense) (up to \$6 for breakfast, \$10 for lunch and \$18 for dinner) – up to a maximum of \$34 per day
- Incidentals – up to a maximum of \$6 per day.
- Coach airfare, mid-size/economy rental cars, parking and fuel – actual costs verified by bills or receipts. Expenses for rental car insurance, fuel for rental cars purchased from the rental car company, and additional air travel expenses such as preferred boarding, will not be reimbursed. First Class or Business Class air travel is not allowed. Airport parking must be at the most economical rate. Expenses for one way rental car expense (i.e. charges for returning a rental car to a location other than that from which it was rented) will only be reimbursed if preapproval is given by the Contract Manager prior to the expense being incurred.
- Personal Vehicle Use for travel is reimbursed at \$0.565 per mile; however fuel will not be reimbursed if a personal vehicle is used.
- Readable receipts with sufficient detail (date, time and expense description and amount) are required for all expenses. Credit card receipts are generally not sufficient documentations for travel expenses.

Section V Evaluation and Selection

Introduction

CalRecycle will perform a Pre-Qualification Evaluation process to ensure that the Proposer has included all required documentation in the Proposal submittal.

If a proposal package does not meet all of the requirements set forth in this RFP, it will be considered non-responsive and rejected from further competition.

Those Proposer's submittals that pass this review will be forwarded to the Selection Committee for Evaluation.

Selection Process

The Selection Committee will evaluate and score all proposals, passing the Pre-Qualification Evaluation, utilizing the Scoring Criteria identified in this RFP.

Only those proposals that receive a score of at least the minimum requirement identified on the Scoring Sheet will be ranked.

Cost Points

Cost points account for 30% of the total points available (see Proposal Scoring Sheet). Proposers will be awarded Cost Points as follows:

- 1) Lowest cost proposal is awarded the maximum cost points.
- 2) Other proposals are awarded cost points based on the following calculation:

Other Proposer's Cost Points = (factor*) X maximum cost points

* factor is the Lowest Proposer's cost divided by Other Proposer's cost

EXAMPLE

Lowest Proposer's cost = \$10

Other Proposer's cost = \$12

Maximum cost points = 30 cost points

factor = \$10 ÷ \$12 = .83

Cost Points Calculation for Other Proposer's Cost

.83 X 30 cost points = 25 cost points

Final Cost Points Awarded

Lowest cost proposal receives 30 cost points

Other cost proposal receives 25 cost points

Oral Interview

If oral interviews will be conducted as part of this process, the date of said interviews will be within the timeframe identified in Section I, Schedule.

All Proposers invited for an interview, will be notified by CalRecycle of the specific date and time of the interview.

Failure to attend the interview by the Proposer will be grounds for removing the Proposer from the remainder of the process.

Grounds for Rejection

All proposals may be rejected whenever the determination is made that the proposals received are not really competitive, when the cost is not reasonable, or when the cost exceeds the amount expected.

Additionally, a proposal may be rejected if:

- It is received after the due date and time for submittal
- The cost submittal is unsigned
- The proposal cost is not prepared as required by the RFP

- The Personnel Rate Sheet is not prepared as required by the RFP
- The Proposer has been prohibited from contracting with the State by the Department of Fair Employment and Housing
- The Proposer has received a substantive negative contract performance from the State
- Any items required by the RFP are not included with the submittal

No proposal may be rejected arbitrarily or without reasonable cause.

Award of Contract

Award of this Contract will be to the highest ranking responsible Proposer meeting all of the RFP requirements.

In the event of a tie, CalRecycle may utilize a tie breaker to determine the winning Proposer. The tie breaker will be determined based on which proposer has the most SB and DVBE participation identified in the bid package.

CalRecycle reserves the right to not award a Contract.

Notice of Intent to Award

CalRecycle will post a notice of intent to award this Contract five (5) working days prior to the award being made.

Notice of the intent to award will be posted on CalRecycle's website at www.CalRecycle.ca.gov/contracts and at the headquarters building noted in Section I. It is the Proposer's responsibility to check one of these locations for a copy of the Notice of Intent to Award.

Rejection of Award

If the Proposer fails to enter into a satisfactory Contract within a reasonable timeframe after the award is made, CalRecycle may deem that the Proposer has rejected the award.

CalRecycle reserves the right to disqualify the awardee and award the Contract to the next highest ranked Proposer.

Protest of Award

A Proposer may protest the proposed award by filing an official protest with the Department of General Services. The protest must be filed after the notice of intent to award the contract, but before the actual award.

Within five (5) **working** days of the initial protest filing, the Proposer must submit a detailed written statement with information that supports that the Proposer would have been awarded the contract and the grounds for that position.

The Contract will not be awarded until a decision has been made on the filed protest.

The protest documents should be sent via registered mail to the following parties:

Department of General Services
Office of Legal Services
Attn: Protest Coordinator
707 Third Street, 7th floor
Sacramento, CA 95605
Fax (916) 376-5088

CalRecycle
Attn: Contracts Unit
1001 I Street, MS-19A
Sacramento, CA 95814
Fax (916) 319-7345
Email contracts@CalRecycle.ca.gov

Section VI Description of Work

Work To Be Performed

The Contractor is responsible for developing technical resources, research projects, and focused technical outreach and education assistance activities that will help to strengthen the TDP industry in California and help support CalRecycle's tire market development programs. These activities will aim to benefit one or more industry sectors as opposed to providing assistance to individual businesses. The following is a general overview of the work that the Contractor shall perform.

- Task 1. Annual Tire-Derived Product Materials Market Analysis and Report, Stakeholder Communications, and Recommendations Regarding Tire Market Development
- Task 2. Focused Technical Outreach and Education to Promote TDPs to Government and Private Entities
- Task 3. Research and testing to further utilize TDPs as feedstock in existing products (feedstock conversion) and advance potential new applications, products, and technologies that use waste tires
- Task 4. CalRecycle Tire Conferences
- Task 5: Administration and Reporting

Tasks Identified

Task 1: Annual Tire-Derived Product Materials Market Analysis and Report, Stakeholder Communications, and Recommendations Regarding Tire Market Development

- A. Conduct three annual TDP markets surveys and analyses, coordinating with a designated CalRecycle staff "trainee" as requested by the CalRecycle Contract Manager (Contract Manager). The contractor will:
 - i) Administer an annual market survey using protocols from prior year TBAP contracts that will be provided to the Contractor by the Contract Manager (Contract Manager). The survey must gather information, including but not limited to, capacity, throughput, types and amounts of input (by specification) and outputs (by product type), types of customers, actual and perceived market drivers, barriers, and opportunities for market expansion;
 - ii) Analyze and summarize the market trends for targeted TDPs. This will include periodic updates regarding opportunities and market development mechanisms to address barriers. The contractor will compile detailed cost and performance data on targeted TDPs. (Note: some lifecycle and performance information is already available in existing rubberized asphalt concrete (RAC) and tire derived aggregate (TDA) projects, including RAC lifecycle costs and project specific information regarding TDA);

- iii) Provide information on the current supply/demand balance and capacity, including recent and expected expansions or contractions in general processing and ground rubber production capacity, TDP production capacity, export market impacts and overall market demand, waste tire diversion rate; and
 - iv) Identify regional infrastructure and infrastructure needs.
- B. Prepare an annual report for CalRecycle that includes all of the market analysis research and findings.
 - C. Present annually at a public meeting a summary of the findings from the market analysis conducted that year.
 - D. Update the market survey and analysis guidance document based upon lessons learned in conducting the market surveys and analyses. The guidance document was initially prepared under the prior TBAP contract and presents protocols and templates to enable CalRecycle staff to maintain the market surveys and analyses in future years.
 - E. Institute a consistent means of providing and receiving real time communications with stakeholders regarding emerging market influences, potential avenues for increasing waste tire diversion, and TDP market expansion opportunities.
 - F. Utilize the market analysis, other necessary research, and the ongoing feedback and communication from stakeholders to make recommendations regarding additional market development activities to address TDP performance, health and environmental impacts, regional supply and demand barriers, and suggest a strategy for improving TDP product markets.

Task 2: Focused Technical Outreach and Education to Promote TDPs to Government and Private Entities

- A. Identify federal, state, and local agencies; public and private colleges, universities, and schools/districts; major retailers; and other public and private entities that are in a position to procure TDPs and/or have the authority to specify them in future projects. For example, Caltrans, the California State University system, architects, and green builders.
- B. Develop resources and create and implement a detailed plan for targeted technical education and outreach to the entities identified in Task 2 A.
- C. Update and keep current the TDP Architect's Guide and the TDP Catalog and expand education, outreach, and marketing efforts to promote the use of the guide.
- D. Develop a minimum of six case studies annually that are two pages in length and are in a common format suitable for publishing on the CalRecycle web site or as handouts. In selecting which case studies to develop, priority should be given to existing TDPs for which there is a high potential for new or expanded sales opportunities, new TDPs with a high potential for successful entry into the TDP market, and existing products newly incorporating waste tire feedstock(s). Case studies should

- (i) detail successful real-world application of TDPs by actual users, including high quality color photographs;
 - (ii) identify the uses and benefits of TDPs including suitable applications for the given type of TDP and comparisons to competing products that are not made from waste tires;
 - (iii) highlight key cost and performance data, including lifecycle costs and benefits.
- E. Compile other education, marketing and technical specification materials from TDP companies, and as applicable TDP users, and prepare materials such as brochures, fact sheets, Power Point presentations, both electronically and web-based, to assist in targeted education, outreach and marketing TDPs to the targeted entities. Where applicable, and in consultation with the Contract Manager, incorporate relevant research information (e.g., health effects, lifecycle cost analyses, etc.) into marketing materials.
- F. Conduct targeted outreach and education such as roundtables, meetings, training sessions, workshops, webinars, and utilize other methods, such as written communications, identify and secure sponsors as needed for mealtime learning sessions and work to educate the targeted entities to advance TDPs market development.
- G. Conduct follow up to all initial targeted technical outreach and education efforts and provide focused TDP education and assistance to stakeholders as requested.
- H. Coordinate closely with the Contract Manager to ensure that CalRecycle staff has the latest information, data, and resources for promotion, outreach, education, and training activities.
- I. Monitor and provide quantitative as well as quantitative measurement of the results of the technical education, outreach, and marketing and the resulting sales of TDPs.
- J. Utilize lessons learned through providing targeted technical outreach and education to potential purchasers of TDPs to provide training to TDP businesses. The Contractor will utilize workshops and other means to educate TDP businesses on strategies to identify entities with a high potential for purchasing TDPs and efficient methods to market and sell TDPs to those entities.

Task 3: Research and testing to further utilize TDPs as feedstock in existing products (feedstock conversion) and advance potential new applications, products, and technologies that use waste tires

- A. Collaborate with potential users of large quantities of TDPs to identify what information and data they need in order to overcome roadblocks to purchasing TDPs. Identify gaps in research and product testing that are necessary to fill in order to significantly expand markets for TDP. This effort should build upon the performance standards identified in the prior Tire Derived Product Business Assistance Program: Industry-Wide Support Activities contract.
- B. Conduct research and product testing to provide product data, specifications, and performance results for applicable TDPs or categories of TDPs in order to

expand markets for TDPs, increase feedstock conversion, evaluate potential health and environmental impacts, and advance new products and technologies using waste tires.

- C. Compile information and data for CalRecycle and any other entities relevant to the research and/or testing. With consent from all relevant entities, provide information and data to entities that have potential to convert their feedstock for existing products to utilize TDPs and advance new applications, products, and technologies that use waste tires. This may include making presentations, developing reports, writing data sheets, etc. This task, along with others identified in this scope of work, may involve information and data from businesses that must remain confidential.

Task 4: CalRecycle Tire Conferences

In coordination with the Contract Manager, the Contractor will assist with any specialized needs in development and implementation of two CalRecycle tire conferences, including;

- A. Soliciting stakeholder input on topics to be addressed,
- B. Developing educational activity plans/priorities,
- C. Organizing conference sessions,
- D. Identifying and securing potential presenters, attending and participating/speaking at the conferences.

Task 5: Administration and Reporting

A. Develop Work Plans:

- (i) Work with the Contract Manager and any other applicable CalRecycle staff to prepare a work plan detailing all tasks and deliverables (including reports; presentations and/or dissemination of information to stakeholders; materials to be posted or revised on the existing web and newsletter or list serve functions, or communicated by other means).
- (ii) The work plan will include a timeline for all tasks and deliverables. CalRecycle will not pay Contractor's Administration time for compilation of billing/invoicing or delivery of invoices.
- (iii) The work plan will identify any entities with which the Contractor will coordinate to accomplish the identified tasks, such as Recycling Market Development Zone Administrators, industry organizations, (e.g., Rubber Manufacturers Association, American Institute of Architects, Rubber Recycling Network), local jurisdiction recycling coordinators, etc.
- (iv) No other work shall be conducted until the work plan is approved by the Contract Manager.
- (v) Should changes to the work plan be necessary, the Contractor will submit any such changes to the Contract Manager for approval before conducting other work.

B. Reporting

- (i) The Contractor will communicate with the Contract Manager on an ongoing basis and provide written reports, on a monthly basis at a minimum, to the Contract Manager covering activities that are in progress, completed, and upcoming; any issues that have arisen; a budget status; a status of meeting the timelines established in the work plan, etc.
- (ii) If significant issues arise, the Contractor shall not wait for a scheduled report and will report them to the Contract Manager immediately.
- (iii) All documents and/or reports drafted for publication by or for CalRecycle in accordance with this contract shall adhere to CalRecycle's Contractor Publications Guide at www.calrecycle.ca.gov/Publications/PubGuide/ and must be reviewed by a technical editor of the Contractor's choosing to ensure that the reports comply with CalRecycle's publication guidelines, after which they shall be submitted to and reviewed by the Contract Manager in consultation with the CalRecycle editor.

(The Contractor is encouraged to consult with the CalRecycle project management and editorial staff early in the development process to ensure deliverable requirements are clearly understood and to minimize the need for revisions.)

- (iv) The Contractor will submit to CalRecycle by August 31, 2016, a final report on the contract and the work performed, including an evaluation of its effectiveness (with qualitative and quantitative results). The Contractor shall submit a draft final report to the Contract Manager six weeks prior to the due date for the final report. The draft will be reviewed by CalRecycle staff who will provide comments or questions that the Contractor will address or incorporated into the subsequent draft of the report. Any requested changes must be completed by the Contractor and resubmitted to the Contract Manager for final approval. Only when all revisions are made and approved by the Contract Manager will the report be deemed final.
- (v) Contractor will not receive final payment until the final report has been approved by the Contract Manager.

Contract/Task Time Frame

The contract is estimated to begin September 1, 2013 and end August 31, 2016. The timeframe below reflects the task/time frame of the contract from date of award:

Task	Deliverable(s)	Estimated Timeframe
Task 1: Annual Tire-Derived Product Materials Market Analysis and Report, Stakeholder Communications, and	Draft and web-ready reports, presentation materials, mechanism for communications with stakeholders, tire	Spring 2014, Spring 2015, Spring 2016

Recommendations Regarding Tire Market Development	market development recommendations	
Task 2: Focused Technical Outreach and Education to Promote TDPs to Government and Private Entities	Targeted outreach and education plan; education, outreach, and technical specification materials; updated TDP architects guide; case studies; assistance; and applicable materials and reports	Ongoing through August 2016
Task 3: Research and testing to further utilize TDPs as feedstock in existing products (feedstock conversion) and advance potential new applications, products, and technologies that use waste tires	Research reports, testing results, analyses, presentations	Ongoing through August 2016
Task 4: CalRecycle Tire Conferences	Assistance, presentations	First quarter of 2014 and third quarter of 2015
Task 5: Administration and Reporting	Work plans. Monthly and final reports	Progress reports monthly Final report for all activities due August 2016

Location of Services

Services will be provided state-wide. The location for meetings with the Contract Manager will be determined by the Contract Manager; the majority of meetings will be held via teleconference, at the Sacramento Environmental Protection Agency Headquarters (1001 I Street, Sacramento, CA 95814), or by other appropriate means such as webinar.

Control of Work

- Contract Manager has the authority to determine the quality and acceptability of the following:
 - Work to be performed
 - Rate and progress of the work
 - Fulfillment of the services provided by the Contractor
 - Compensation for services provided by the Contractor

These decisions will be deemed final and enforceable by Contract Manager when the Contractor fails to complete orders required by this Contract.

The Contractor should immediately bring any unanticipated issues to the attention of the Contract Manager. The Contract Manager will confer with appropriate CalRecycle staff, if necessary, and the Contractor to resolve the issue.

- The Contractor will designate a Project Manager who holds the following authority:
 - Act as the Contractor's Representative for work to be provided under this Contract
 - Act as the Contractor's Representative regarding contractual matters relating to this Contract

If during the course of the Contract, it is deemed necessary to replace the Project Manager, Contract Manager approval is required.

Section VII Definition and Terms

General

Unless the context otherwise requires, wherever in this RFP or addenda, the following abbreviations and terms, or pronouns in place of them, are used, the intent and meaning shall be interpreted as provided in this Section.

Working titles having a masculine gender, such as “draftsman” and “journeyman” and the pronoun “he”, are utilized in these provisions for the sake of brevity, and are intended to refer to persons of either sex.

Abbreviations

ADA	Americans with Disabilities Act
CAL EPA	California Environmental Protection Agency
CALRECYCLE	Department of Resources Recycling and Recovery
CCR	California Code of Regulations
DVBE	Disabled Veteran Business Enterprise
EPA	Environmental Protection Agency (Federal Government)
GC	Government Code
PCC	Public Contract Code
RFP	Request for Proposals
SB	Small Business
SOW	Scope of Work
OSDS	The Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS)

Cal EPA

The California Environmental Protection Agency

CALRECYCLE Staff

Staff of the Department of Resources Recycling and Recovery involved in the implementation of this contract or representatives of Consultant to the Department of Resources Recycling and Recovery as designated in the Work Orders.

Consultant

The person or persons, firm, partnership, corporation, or combination thereof, which may enter into this Contract with CalRecycle to provide work pursuant to this RFP or his or their legal representatives

Contract

A legally binding agreement between the state & another entity, public or private, for the provision of goods or services; the written agreement covering performance of the work and furnishing of labor, materials, tools, and equipment in providing the work. The agreement shall include the RFP, Proposal, general and specific terms and conditions, Work Orders, and supplemental agreements which may be required to complete the work in a substantial and acceptable manner.

Contract Manager

A person designated by the responsible state agency or department to manage performance under a contract.

Contractor

A party contracting with the awarding agency. Vendor is often used synonymously with contractor.

Director

The Director of CalRecycle, or his/her designees. Any references to Executive Officer shall mean the Director and/or designated officer.

Disabled Veteran Business Enterprise (DVBE Certified)

A business that meets all of the following criteria: (1) at least 51% of the business is owned by one or more disabled veterans or, in a business whose stock is publicly held, at least 51% or more of the stockholders are disabled veterans (2) the management and control of the business are exercised by one or more disabled veterans; (3) the business is domestically owned and its home office is in the United States; and (4) the business has been certified as a DVBE by the State of California, Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS).

Legal Holiday

Those days designated as State holidays in the Government Code.

Project Manager

Contractor's representative for all work performed under this Contract. All official correspondence, reports, submittals, billings, and other work done under this Contract shall be reviewed and signed by the Project Manager prior to submittal to CalRecycle.

Scope of Work

The description of work required of a contractor by the awarding agency.

Small Business (Certified)

A business that has been certified by the Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS), as a small business as defined in GC 14837 and 2 CCR 1896.

State

The State of California.

State Contract Law

The Public Contract Code and other applicable laws that form and constitute a part of the provisions of this Contract to the same extent as if set forth herein in full.

Subcontractor

A person or entity which contracts with the Contractor to perform all or a portion of the work as specified in the Scope of Work.

Attachments

**Personnel Rate Sheet
Tire Outreach and Market Analysis
DRR13003**

Contractor/Company Name: _____

Complete this form and submit the original in accordance with the requirements of this RFP. Identify line item costs for each of the Proposer's team members. These will be the team members whose services will be utilized throughout the term of the Agreement. All subcontractors must be identified in **Column A** (identify with an X) and any corresponding subcontractor markups (amount primary contract marks up subcontractor rates) shown in **Column E**. Hourly rates identified on the Personnel Rate Sheet shall remain in effect throughout the term of the Agreement. The total hourly rate as specified in **Column F** must be used in preparing the Cost Proposal Sheet (Attachment B). Add additional rows as needed.

Column A Sub Contractor	Column B Personnel Services: (Do not include travel or overhead here) List the name, classification/title, and hourly rate of the contractor and all subcontractors that will make up the proposer's team.		Column C Fringe Benefits Identify fringe benefits citing actual benefits per hour for each classification/title or as a percentage of personal services costs if included in the hourly rate	Column D Overhead Identify the overhead per hour for each classification/title or as a percentage of personal services costs if included in the hourly rate	Column E Subcontractor Markup Identify markup for each classification/title in cost per hour or as a percentage of personal services costs if included in the hourly rate	Column F TOTAL HOURLY RATE By Classification/ Title (Use totals from this column to complete Column 2 on the Proposal Cost Sheet)
Mark X only if Sub Contractor	Name and Classification/Title	\$/Hr	\$/Hr or %	\$/Hr or %	\$/Hr or %	\$/Hr
	Project Manager					

Acknowledgement/Authorization

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for CalRecycle to award a Contract. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Contract.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CalRecycle documents and will comply with said provisions.

The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by CalRecycle in verification of the recitals comprising this Proposal and also hereby authorizes CalRecycle to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized
Representative:

Contractor Name:

Address:

Telephone #:

City, State Zip:

Email:

Signature of Authorized Representative:

Date Signed:

If fringe benefits and/or overhead are not specifically itemized in the Personnel Rate Sheet and if the Proposer inserts a \$0, the Proposer must explain why these line items are not itemized. A blank space for either fringe benefits or overhead will be grounds for immediate disqualification.

Cost Proposal Sheet
Tire Outreach and Market Analysis
DRR13003

Complete this form and submit the original in accordance with the requirements of this RFP. Provide a description of the tasks to be performed (based on your methodology), identify the team members whose services will be utilized in completing the specified task, identify the hourly rates using the Total Hourly Rates (**Column F**) identified on the Personnel Rate Sheet (Attachment A), identify the estimated hours of service to be provided by each team member for the specified task description. Add additional rows as necessary.

Contractor/Company Name: _____

Column 1	Column 2	Column 3				Column 4	Column 5	Column 6	Column 7	Column 8
Task #	Detailed Description of Services to be Provided: Description of services to be provided by each person listed in Column 3	Personnel Services: Include name/position title, hourly rate from column F of Attachment A (Personnel Rate Sheet) and estimated number of hours to complete services for all tasks. Name/Position \$/Hr Hrs Total \$				Operating Expenses Include description and cost of operating expenses related to the services detailed in Column 2, including supplies, as applicable. If not tied to a particular person, place in a separate row.	Equipment Costs Include description and cost of equipment related to the services described in Column 2. If not tied to a particular person, place in a separate row.	Travel Costs Include description and cost of travel related to services described in Column 2. If not tied to a particular person, place in a separate row.	Other Other costs related to services described in Column 2. If not tied to a particular person, place in a separate row.	Row Totals
Column Totals										GRAND TOTAL

Acknowledgement/Authorization

The undersigned acknowledges the submittal of this proposal constitutes an irrevocable offer for a ninety (90) day period for the CalRecycle to award an Agreement. Additional acknowledgement is made of receipt of all competitive documents, including Addenda, relating to this Agreement.

The undersigned acknowledges that the Proposer has read all of the requirements set forth in CalRecycle documents and will comply with said provisions.

The undersigned hereby authorizes and requests any person, firm, agency, or corporation to furnish any information requested by the CalRecycle in verification of the recitals comprising this Proposal and also hereby authorizes the CalRecycle to contact such persons, firms, etc., in order to obtain information regarding the undersigned.

The undersigned acknowledges that there are no potential conflicts of interest, as defined in Public Contract Code (PCC) 10410, 10411, and Government Code (GC) 87100, and this RFP by the submitting firm and/or any subcontractors listed in the Proposal.

I declare under penalty of perjury that the foregoing is true and correct.

Name & Title of Authorized Representative:	Contractor Name:
Address:	Telephone #:
City, State Zip:	Email:
Signature of Authorized Representative:	Date Signed:

**Proposal Scoring Sheet
Tire Outreach and Market Analysis
DRR13003**

Name of Firm _____

Proposers must score a minimum of 80 percent of the possible points in each of the Experience and Methodology categories (i.e. a minimum of 24 and 28 points, respectively) in order to qualify for further consideration.

EXPERIENCE (Max 30 points) (Min 24 points to qualify)	POINTS POSSIBLE	POINTS EARNED
(1) Project Manager demonstrates multiyear experience in and knowledge of solid waste management and business-related issues and possesses a comprehensive understanding of material flow and markets for tire-derived products in CA.	10	
(2) Project manager, principal members and sub-contractors of consulting team demonstrate appropriate background and professional consulting experience working with CA waste tire industry.	10	
(3) Project manager, principal members and sub-contractors of consulting team demonstrate practical experience regarding tasks identified in the RFP.	10	
METHODOLOGY (Max 35 points) (Min 28 points to qualify)		
(4) Clear, specific explanation of a sound methodology and work plan to implement projects will be developed, including the timeline for implementation.	5	
(5) Identifies industry-wide challenges and barriers to enhanced market development and proposes comprehensive approaches (including specific activities and targets) to address these challenges and barriers.	10	
(6) Clear, specific, and sound approach to providing essential industry-wide markets research and analysis, and technical approach to addressing industry-wide challenges.	15	
(7) Clear, specific, and sound approach to identifying and filling gaps in research and product testing in order to significantly expand markets for tire derived products.	5	
BUDGET/COST (Maximum of 5 points)		
(8) Reasonableness of hourly rates	5	
SUBTOTAL		
(9) Cost Points	30 (30% of total)	
TOTAL POINTS	100	

Small Business/Micro Business/Disabled Veteran Business Enterprises (DVBE) Participation Summary

MARK ONE FOR EACH FIRM USED			NAME OF FIRM	NATURE OF WORK	TOTAL DOLLAR AMOUNT OF WORK (Mark one for each firm used)			CERTIFICATION FORM ATTACHED
PRIME BIDDER	SUBCON- TRACTOR	SUPPLIER			SMALL BUSINESS	MICRO BUSINESS	DVBE	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	
					\$	\$	\$	

The appropriate certification letter issued by the Office of Small Business and Disabled Veteran Business Enterprise Services (OSDS) can be attached for each Small Business, Micro Business and DVBE Business identified above.

Small Business (SB) and Disabled Veteran Business Enterprise (DVBE) Subcontractor Payment Certification

As Contractor of record for the Department of Resources Recycling and Recovery, Contract number _____, I certify, in accordance with Government Code 14841 and Military and Veteran Code § 999.5, that pursuant to the terms and conditions of the contract, all payments have been made to the SB or DVBE firm(s) listed below for commodities or services rendered as the SB or DVBE subcontractor(s) of record. I understand certification must be made to the Department of Resources Recycling and Recovery within 60 days of receiving final payment under this Agreement. I further understand and acknowledge that falsification of this Certification may result in the imposition of civil or criminal penalties for not less than \$2,500 or more than \$25,000 for each violation.

Please copy this form to include as many SB or DVBE firms as necessary. Authorized signatures and information are required on each separately submitted form. Return to: Department of Resources Recycling and Recovery, Contracts Unit- MS 19-A, Attn: Colleen Rubens, SB/DVBE Advocate, P.O. Box 4025, Sacramento, CA 95812-4025

SB/MB/DVBE SUBCONTRACTOR INFORMATION

Contract Firm Name			
Name of Firm Representative			
Title			
	Phone:	Fax:	
Firm Address	Street:		
	City:	State:	Zip:
Contract Number			
Total Amount Received Under this Contract	\$	Date Final Payment Received: / /	

SB/DVBE SUBCONTRACTOR INFORMATION

SB/DVBE Subcontractor	Street Address	City	State	Zip	Amount Paid	Participation Achieved
						%
						%
						%
						%

Printed Name		Signature:	
Title:		Report Date:	

Darfur Contracting Act

Pursuant to Public Contract Code section 10478, if a bidder or proposer currently or within the previous three years has had business activities or other operations outside of the United States, it must certify that it is not a "scrutinized" company as defined in Public Contract Code section 10476.

Therefore, to be eligible to submit a bid or proposal, please complete only one of the following three paragraphs (via initials for Paragraph # 1 or Paragraph # 2, or via initials and certification for Paragraph # 3):

1. _____ We do not currently have, or we have not had within the previous
Initials three years, business activities or other operations outside of the United States.

OR

2. _____ We are a scrutinized company as defined in Public Contract Code
Initials section 10476, but we have received written permission from the Department of General Services (DGS) to submit a bid or proposal pursuant to Public Contract Code section 10477(b). A copy of the written permission from DGS is included with our bid or proposal.

OR

3. _____ We currently have, or we have had within the previous three years,
Initials business activities or other operations outside of the United States,
+ certification but we certify below that we are not a scrutinized company
below as defined in Public Contract Code section 10476.

CERTIFICATION For # 3.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective proposer/bidder to the clause listed above in # 3. This certification is made under the laws of the State of California.

<i>Proposer/Bidder Firm Name (Printed)</i>		<i>Federal ID Number</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in the County and State of</i>	

YOUR BID OR PROPOSAL WILL BE DISQUALIFIED UNLESS YOUR BID OR PROPOSAL INCLUDES THIS FORM WITH EITHER PARAGRAPH # 1 OR # 2 INITIALED OR PARAGRAPH # 3 INITIALED AND CERTIFIED.

Iran Contracting Act**(Public Contract Code sections 2202-2208)**

Prior to bidding on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of \$1,000,000 or more, a vendor must either: a) certify it is not on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code section 2203(c) or (d).

To comply with this requirement, please insert your vendor or financial institution name and Federal ID Number (if available) and complete one of the options below. Please note: California law establishes penalties for providing false certifications, including civil penalties equal to the greater of \$250,000 or twice the amount of the contract for which the false certification was made; contract termination; and three-year ineligibility to bid on contracts. (Public Contract Code section 2205.)

OPTION #1 - CERTIFICATION

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor/financial institution identified below, and the vendor/financial institution identified below is not on the current list of persons engaged in investment activities in Iran created by DGS and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

Vendor Name/Financial Institution (Printed)		Federal ID Number (or n/a)
By (Authorized Signature)		
Printed Name and Title of Person Signing		
Date Executed	Executed in	

OPTION #2 – EXEMPTION

Pursuant to Public Contract Code sections 2203(c) and (d), a public entity may permit a vendor/financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit a proposal for, or enters into or renews, a contract for goods and services.

If you have obtained an exemption from the certification requirement under the Iran Contracting Act, please fill out the information below, and attach documentation demonstrating the exemption approval.

Vendor Name/Financial Institution (Printed)		Federal ID Number (or n/a)
By (Authorized Signature)		
Printed Name and Title of Person Signing		Date Executed

Contractor Status Form

Contractor's Name: _____ County: _____

Address: _____ Phone Number: _____

Federal Employer Identification Number: _____ Fax Number: _____

STATUS OF CONTRACTOR PROPOSING TO DO BUSINESS

☐ Individual ☐ Limited Partnership ☐ General Partnership ☐ Corporation ☐ Other

If Individual or sole proprietorship, state the true name of sole proprietor: _____

If a Limited or General Partnership, list each partner and state their true name and interest in the partnership:

If a Corporation, state place and date of incorporation:

President: _____ **Vice President:** _____

Secretary: _____ **Treasurer:** _____

Other Officer: _____ **Other Officer:** _____

Provide explanation if claiming Other:

SMALL BUSINESS PREFERENCE

Are you claiming preference for small business? ☐ YES – Attach approval letter from Office of Small Business Certification and Resources
☐ NO

Are you claiming preference for DVBE? ☐ YES – Attach approval letter from Office of Small Business Certification and Resources
☐ NO

NOTE: THIS FORM MUST BE COMPLETED OR YOUR PROPOSAL WILL BE REJECTED

Client References

List at least three (3) client references that can attest to the Bidder's qualifications to fulfill the requirements of the Scope of Work. List the most recent first. Client references must also be provided for any subcontractors identified in the Bidder's response. Duplicate and attach additional pages as necessary.

BIDDER / SUBCONTRACTOR'S NAME:**REFERENCE 1**

Name of Firm

Street Address

City

State

Zip Code

Contact Person

Telephone Number

Dates of Service

Cost of Service

Brief Description of Service Provided

REFERENCE 2

Name of Firm

Street Address

City

State

Zip Code

Contact Person

Telephone Number

Dates of Service

Cost of Service

Brief Description of Service Provided

REFERENCE 3

Name of Firm

Street Address

City

State

Zip Code

Contact Person

Telephone Number

Dates of Service

Cost of Service

Brief Description of Service Provided

If three references cannot be provided, explain why:

STATE OF CALIFORNIA
 Department of Resources Recycling and Recovery
 CALRECYCLE 74C (Revised 1/10 for Contracts)

To be completed by Contractor	
Name of Contractor:	
Contract #::	Work Order #:

Recycled-Content Certification

☐ Check this box if no products, materials, goods, or supplies were purchased with contract dollars and submit to your CalRecycle contract manager.

This form may be completed by contractor, vendor, bidder, buyer, state-contracting officer, or state purchasing agent. The form must be completed and returned to CalRecycle with a row completed for each product purchased with contract dollars. Attach additional sheets if necessary. Information must be included, even if the product does not contain recycled-content material. Product labels, catalog/website descriptions, or bid specifications may be attached to this form as a method of providing that information.

Contractor's Name _____ Date _____
 Address _____ Phone _____
 Fax _____ E-mail _____ Web site _____

Product Manufacturer	Product Description / Brand	Purchase Amount (\$)	¹ Percent Postconsumer Material	² SABRC Product Category Code	Meets SABRC

Public Contract Code sections 12205 (a) (1) (2) (3) (b) (1) (2) (3)

I certify that the above information is true. I further certify that these environmental claims for recycled content regarding these products are consistent with the Federal Trade Commission's Environmental Marketing Guidelines in accordance with PCC 12205.

Print name _____ Signature _____ Company _____ Date _____

(See footnotes on the back of this page.)

1. *Postconsumer material comes from products that were bought by consumers, used, then recycled. For example: a newspaper that has been purchased and read, next recycled, and then used to make another product would be postconsumer material.*

If the product does not fit into any of the product categories, enter "N/A." Common N/A products include wood products, natural textiles, aggregate, concrete, electronics such as computers, TV, software on a disk or CD, telephone

2. *Product category refers to one of the product categories listed below, into which the reportable purchase falls. For products made from multiple materials, choose the category that comprises most of the product by weight, or volume.*

Note: For reused or refurbished products, there is no minimum content requirement.

For additional information visit www.CalRecycle.ca.gov/BuyRecycled/.

Code	Description	Minimum content requirement
Product Categories (11)		
1	Paper Products - Recycled	30 percent postconsumer fiber, by fiber weight
2	Printing and Writing - Recycled	30 percent postconsumer fiber, by fiber weight
3	Compost, Co-compost, and Mulch - Recycled	80 percent recovered materials. i.e., material that would otherwise be normally disposed of in a landfill
4	Glass - Recycled	10 percent postconsumer, by weight
5	Rerefined Lubricating Oil - Recycled	70 percent re-refined base oil
6a	Plastic - Recycled	10 percent postconsumer, by weight
6b	Printer or duplication cartridges	a. Have 10 percent postconsumer material, or b. Are purchased as remanufactured, or c. Are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled and comply with the definition of recycled as set forth in Section 12156 of the Public Contract Code.
7	Paint - Recycled	50 percent postconsumer paint (exceptions when 50 % postconsumer content is not available or is restricted by a local air quality management district, then 10% postconsumer content may be substituted)
8	Antifreeze - Recycled	70 percent postconsumer material
9	Retreated Tires - Recycled	Use existing casing that has undergone retreading or recapping process in accordance with Public Resource Code (commencing with section 42400).
10	Tire- Derived - Recycled	50 percent postconsumer tires
11	Metals - Recycled	10 percent postconsumer, by weight

Proposal Completion Checklist

Please use this checklist to assist in the preparation of your Proposal package to ensure that all required items are included.

-
- ☐ Cover Letter with contact information and statements as required in the RFP.
 - ☐ Organizational information and Personnel Information (Resumes)
 - ☐ Proposal (detailed Work Plan)
 - ☐ Samples of Written Work
 - ☐ Personnel Rate Sheet (Attachment A)
 - ☐ Proposal Cost Sheet (Attachment B)
 - ☐ Copy of Required License(s) (Secretary of State)
 - ☐ Small Business/Disabled Veteran Business Enterprise (DVBE) Participation Summary Form must be submitted even if participation levels are zero (write zero participation on form). (Attachment D)
 - ☐ Darfur Contracting Act Certification (Attachment F)
 - ☐ Iran Contracting Act Certification (Attachment G)
 - ☐ Contractor Status Form (Attachment H)
 - ☐ Client References (Attachment I)
-

The following number of PROPOSAL packages must be submitted as the Contractor's response to this RFP:

- ☐ One (1) unbound reproducible original Proposal package marked "Original"
 - ☐ Three (3) bound copies of the Proposal package marked "Copy".
 - ☐ One (1) Electronic copy of Proposal Package in Adobe Acrobat format with all documents in a single file, including all attachments.
-

The following form is only required upon submittal as applicable pursuant to the provisions outlined in Section III, Submittal Requirements:

- ☐ Certification of Enterprise Zone Act Preference
 - ☐ Certification of Target Area Contract Preference Act
 - ☐ Certification of Local Military Base Recovery Area Act Preference
-

The following forms are not required at the time of the proposal submission but will be required by the successful contractor during the contract period:

- ☐ Recycled Content Certification (Attachment I)
 - ☐ Payee Data Record (Standard Form 204 viewable at <http://www.calrecycle.ca.gov/Contracts/Forms/default.htm>)
 - ☐ Small Business (SB) and Disabled Veteran Business Enterprise (DVBE) Subcontractor Payment Certification (Attachment E)
-

Please note that if any of the items are missing from the Proposal package, the package will be considered incomplete and will be disqualified from the process.